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**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:

Genesis Global Holdco, LLC, *et al.*,¹

Debtors.

Chapter 11

Case No.: 23-10063 (SHL)

Jointly Administered

Genesis Global Capital, LLC,

Plaintiff,

v.

Digital Currency Group, Inc.

Defendant.

Adv. Pro. No. 23- 01168 (SHL)

Genesis Global Capital, LLC,

Plaintiff,

v.

DCG International Investments Ltd.

Defendant.

Adv. Pro. No. 23- 01169 (SHL)

¹ The Debtors in these Chapter 11 Cases, along with the last four digits of each Debtor's tax identification number (or equivalent identifier), are: Genesis Global Holdco, LLC (8219); Genesis Global Capital, LLC (8564); and Genesis Asia Pacific Pte. Ltd. (2164R). For the purpose of these Chapter 11 Cases, the service address for the Debtors is 250 Park Avenue South, 5th Floor, New York, NY 10003.

Genesis Global Capital, LLC,

Plaintiff,

v.

Eric Asquith,

Defendant.

Adv. Pro. No. 23-01190 (SHL)

**AMENDED AGENDA FOR HEARING TO BE HELD
NOVEMBER 7, 2023, AT 2:00 P.M. (PREVAILING EASTERN TIME)**

Date and Time of Hearing: November 7, 2023, at 2:00 p.m. (Prevailing Eastern Time)

Location of Hearing: Before the Honorable Judge Sean H. Lane, United States Bankruptcy Judge, United States Bankruptcy Court for the Southern District of New York. The November 7 hearing will be hybrid and will be conducted in person and through Zoom for government. Parties wishing to register for the Zoom hearing should use the eCourt Appearances link on the Court's website: <https://www.nysb.uscourts.gov/ecourt-appearances> no later than 4:00 p.m. (prevailing Eastern Time) on the business day before the November 7 Hearing (the "Appearance Deadline"). Following the Appearance Deadline, the Bankruptcy Court will circulate by email the Zoom link to the November 7 Hearing to those parties who have made an electronic appearance.

Members of the public who wish to listen to, but not participate in, the Hearing free of charge may do so by calling the following muted, listen-only number: 1-929-205-6099, Access Code: 92353761344#

Copies of Motions: Copies of each pleading identified below can be viewed and/or obtained: (i) from the Debtors' notice and claims agent, Kroll Restructuring Administration LLC, located at 55 East 52nd Street, 17th Floor, New York, NY 10055, for free of charge on the Debtors' case website at <https://restructuring.ra.kroll.com/genesis/> or by calling +1 888-524-2017 or (ii) by accessing the Court's website at www.nysb.uscourts.gov. Note that a PACER password is needed to access documents on the Court's website.

AGENDA FOR NOVEMBER 7 HEARING

Matters to be Heard at November 7 Hearing:

I. Contested Matters:

- 1. Disclosure Statement Motion:** *Debtors' Motion for Entry to Approve (I) the Adequacy of Information in the Disclosure Statement, (II) Solicitation and Voting Procedures, (III) Forms of Ballots, Notices and Notice Procedures in Connection Therewith, and (IV) Certain Dates with Respect Thereto.* ECF No. 461.

i. General Response Deadline: October 31, 2023 at 4:00 p.m. (Eastern Time)

ii. U.S. Trustee and SOF International, LLC Response Deadline: November 1, 2023 at 2:00 p.m. (Eastern Time)

iii. Objections:

- a. *Objection of David Morton to Debtors' Disclosure Statement for Amended Joint Plan Under Chapter 11 of the Bankruptcy Code.* ECF No. 475.
- b. *Securities Litigation Lead Plaintiffs' Reservation of Rights Regarding the Disclosure Statement with Respect to the Amended Joint Plan of Genesis Global Holdco, LLC et al., Under Chapter 11 of the Bankruptcy Code.* ECF No. 496.
- c. *Objection of the U.S. Securities and Exchange Commission to Debtors' Motion for Entry of an Order Approving the Adequacy of the Disclosure Statement.* ECF No. 510.
- d. *The New Jersey Bureau of Securities' Joinder to the Objection of the U.S. Securities and Exchange Commission to Debtors' Motion for Entry of an Order Approving the Adequacy of the Disclosure Statement.* ECF No. 553.
- e. *Decentralized Wireless Foundation, Inc.'s Limited Objection to Disclosure Statement With Respect to the Amended Joint Plan of Genesis Global Holdco, LLC et al., Under Chapter 11 of the Bankruptcy Code.* ECF No. 582.
- f. *The New York State Office of the Attorney General's Limited Objection to Debtors' Motion to Approve the Adequacy of Information in the Disclosure Statement [Docket No. 461] and Joinder to the Objection of the U.S. Securities and Exchange Commission to Debtors' Motion for Entry of an Order Approving the Adequacy of the Disclosure Statement.* ECF No. 591.
- g. *Limited Objection of Valour Inc. to Amended Disclosure Statement with Respect to the Amended Joint Plan of Genesis Global Holdco, LLC et al., Under Chapter 11 of the Bankruptcy Code.* ECF No. 858.

- h. *Objection of the Ad Hoc Group of Genesis Lenders to (A) Debtors' Motion to Approve (I) the Adequacy of Information in the Disclosure Statement, (II) Solicitation and Voting Procedures, (III) Forms of Ballots, Notices and Notice Procedures in Connection Therewith, and (IV) Certain Dates with Respect Thereto, and (B) Amended Disclosure Statement with Respect to the Amended Joint Plan of Genesis Global Holdco, LLC et al., Under Chapter 11 of the Bankruptcy Code.* ECF No. 859.
- i. *Securities Litigation Lead Plaintiffs' Limited Objection and Reservation of Rights Regarding the Amended Disclosure Statement with Respect to the Amended Joint Plan of Genesis Global Holdco, LLC et al., Under Chapter 11 of the Bankruptcy Code.* ECF No. 860.
- j. *Limited Objection of Foundry Digital LLC to Debtors' Disclosure Statement for Amended Joint Plan Under Chapter 11 of the Bankruptcy Code.* ECF No. 863.
- k. *Objection of Gemini Trust Company, LLC to the Debtors Motion to Approve (I) the Adequacy of Information in the Disclosure Statement, (II) Solicitation and Voting Procedures, (III) Forms of Ballots, Notices and Notice Procedures in Connection Therewith, and (IV) Certain Dates with Respect Thereto.* ECF No. 864.
- l. *Limited Objection and Reservation of Rights of the Foreign Representatives of Three Arrows Capital, Ltd.'s (In Liquidation) to Genesis Debtors' Motion to Approve (I) the Adequacy of Information in the Disclosure Statement, (II) Solicitation and Voting Procedures, (III) Forms of Ballots, Notices and Notice Procedures in Connection Therewith, and (IV) Certain Dates with Respect Thereto.* ECF No. 865.
- m. *The Official Committee of Unsecured Creditors' Reservation of Rights with Respect to the Debtors' Motion to Approve (I) the Adequacy of Information in the Disclosure Statement, (II) Solicitation and Voting Procedures, (III) Forms of Ballots, Notices and Notice Procedures in Connection Therewith, and (IV) Certain Dates with Respect Thereto.* ECF No. 866.
- n. *Digital Currency Group, Inc.'s Limited Objection and Reservation of Rights to the Debtors' Amended Disclosure Statement.* ECF No. 867.
- o. *Objection of SOF International, LLC to Debtors' Proposed Disclosure Statement.* ECF No. 874.
- p. *Omnibus Objection of the United States Trustee to Amended Disclosure Statement and Related Documents.* ECF No. 875.

iv. Related Pleadings:

- a. *Debtors' Amended Joint Plan.* ECF No. 838.

- b. *Debtors' Amended Disclosure Statement with Respect to the Amended Joint Plan of Genesis Global Holdco, LLC et al., Under Chapter 11 of the Bankruptcy Code.* ECF No. 839.
 - c. *Notice of Filing of (I) Amended Joint Chapter 11 Plan and (II) Amended Disclosure Statement with Respect to the Amended Joint Plan of Genesis Global Holdco, LLC et al., Under Chapter 11 of the Bankruptcy Code.* ECF No. 840.
 - d. *Revised Forms of Ballots in Connection with the Debtors' Motion to Approve (I) the Adequacy of Information in the Disclosure Statement, (II) Solicitation and Voting Procedures, (III) Forms of Ballots, Notices and Notice Procedures in Connection Therewith, and (IV) Certain Dates with Respect Thereto.* ECF No. 870.
 - e. *Debtors' Omnibus Brief in Further Support of Their Motion for Entry to Approve (I) the Adequacy of Information in the Disclosure Statement, (II) Solicitation and Voting Procedures, (III) Forms of Ballots, Notices and Notice Procedures in Connection Therewith, and (IV) Certain Dates with Respect Thereto.* ECF No. 884.
 - f. *Notice of Revised Exhibits in Connection with the Debtors' Motion to Approve (I) the Adequacy of Information in the Disclosure Statement, (II) Solicitation and Voting Procedures, (III) Forms of Ballots, Notices and Notice Procedures in Connection Therewith, and (IV) Certain Dates with Respect Thereto.* ECF No. 885.
 - g. *Debtors' Amended Joint Plan.* ECF No. 886.
 - h. *Debtors' Amended Disclosure Statement with Respect to the Amended Joint Plan of Genesis Global Holdco, LLC et al., Under Chapter 11 of the Bankruptcy Code.* ECF No. 887.
 - i. *Notice of Filing of (I) Amended Joint Chapter 11 Plan and (II) Amended Disclosure Statement with Respect to the Amended Joint Plan of Genesis Global Holdco, LLC et al., Under Chapter 11 of the Bankruptcy Code.* ECF No. 888.
 - v. **Status:** A proposed order has been filed and the matter is going forward. The *Decentralized Wireless Foundation, Inc.'s Limited Objection to Disclosure Statement With Respect to the Amended Joint Plan of Genesis Global Holdco, LLC et al., Under Chapter 11 of the Bankruptcy Code*, ECF No. 582 is resolved.
2. **Exclusivity Motion:** *Debtors' Third Motion for Entry of Order Extending the Debtors' Exclusive Periods in Which to File a Chapter 11 Plan and Solicit Acceptances Thereof and Granting Related Relief.* ECF No. 785.
- i. **General Response Deadline:** October 17, 2023 at 4:00 p.m. (Eastern Time)
 - ii. **Objections:**

- a. *Ad Hoc Group of Genesis Lenders' (i) Objection to Debtors' Third Motion for Entry of Order Extending the Debtors' Exclusive Periods In Which to File a Chapter 11 Plan and Solicit Acceptances Thereof and Granting Related Relief, and (ii) Cross-motion to Terminate the Debtors' Exclusive Periods Pursuant to 11 U.S.C. § 1121(d)(1).* ECF No. 813.
- b. *Declaration of Jordan E. Sazant in Support of Ad Hoc Group of Genesis Lenders' (i) Objection to Debtors' Third Motion for Entry of Order Extending the Debtors' Exclusive Periods In Which to File a Chapter 11 Plan and Solicit Acceptances Thereof and Granting Related Relief, and (ii) Cross-motion to Terminate the Debtors' Exclusive Periods Pursuant to 11 U.S.C. § 1121(d)(1).* ECF No. 814.
- c. *Objection of the Fair Deal Group to Debtors' Third Motion to Extend Exclusivity.* ECF No. 815.

iii. Related Pleadings:

- a. *Debtors' Reply in Support of Debtors' Third Motion for Entry of an Order Extending the Debtors' Exclusive Periods in Which to File a Chapter 11 Plan and Solicit Acceptances Thereof and Granting Related Relief.* ECF No. 829.
- b. *Statement and Reservation of Rights of the Official Committee of Unsecured Creditors with Respect to the Debtors Third Motion for Entry of an Order Extending the Debtors Exclusive Periods in Which to File a Chapter 11 Plan and Solicit Acceptances Thereof and Granting Related Relief.* ECF No. 830.
- c. *Revised Order Further Extending Debtors' Exclusive Periods to File a Chapter 11 Plan and Solicit Acceptances Thereof Pursuant to 11 U.S.C. §1121(d).* ECF No. 856.

- iv. **Status:** In accordance with the Court's instructions on the record at the October 24, 2023 hearing, the Debtors intend to make an oral motion for a further extension of the exclusive period to propose a plan of reorganization.

II. Adversary Proceedings

- 1. **Pre-Trial Conference:** *Complaint against Digital Currency Group, Inc.* ECF No. 1, Adv. Pro. No. 23-01168.

i. Related Pleadings:

- a. *Notice of Voluntary Stay of Prosecution of Complaints Against Digital Currency Group, Inc. and DCG International Investments Ltd.* ECF No. 4, Adv. Pro. No. 23-01168.

- ii. **Status:** This pre-trial conference has been adjourned to November 30, 2023 at 11:00 a.m. (Eastern Time).

2. Pre-Trial Conference. *Complaint against DCG International Investments Ltd.* ECF No. 1, Adv. Pro. No. 23-01169.

i. Related Pleadings:

- a. *Notice of Voluntary Stay of Prosecution of Complaints Against Digital Currency Group, Inc. and DCG International Investments Ltd.* ECF No. 6, Adv. Pro. No. 23-01169.

ii. Status: This pre-trial conference has been adjourned to November 30, 2023 at 11:00 a.m. (Eastern Time).

3. Preliminary Injunction Motion and Motion to Seal. *Complaint against Eric Asquith for Injunctive Relief.* ECF No. 1, Adv. Pro. No. 23-01190.

i. Related Pleadings:

- a. *Motion for (I) Preliminary Injunction or (II) Order Extending Automatic Stay to Non-Debtor.* ECF No. 2, Adv. Pro. No. 11-01190. (Objection Deadline: October 31, 2023 at 4:00 p.m. (Eastern Time))
- b. *Motion Pursuant to 11 U.S.C. 105(a) and 107(b) and Bankruptcy Rule 9018 for Entry of an Order Authorizing GGC to File Under Seal Certain Portions of (A) Motion for (I) Preliminary Injunction or (II) Order Extending Automatic Stay to Non-Debtors, (B) the Accompanying Memorandum of Law, (C) the Accompanying Declaration, and (D) the Accompanying Adversary Complaint.* ECF No. 3, Adv. Pro. No. 11-01190. (Objection Deadline: October 31, 2023 at 4:00 p.m. (Eastern Time))
- c. *Answer to Debtors'/Plaintiff's Complaint for Injunctive Relief.* ECF. No. 9, Adv. Pro. No. 23-1190. (Filed November 3, 2023.)

ii. Objections:

- a. *Limited Opposition to Debtor/Plaintiff's Motion for Entry of (I) Preliminary Injunction or (II) Order Extending Automatic Stay to Non-Debtors.* ECF. No. 10, Adv. Pro. No. 23-1190. (Filed November 3, 2023.)

iii. Status: This matter has been adjourned to November 30, 2023 at 11:00 a.m. (Eastern Time) because the *Limited Opposition to Debtor/Plaintiff's Motion for Entry of (I) Preliminary Injunction or (II) Order Extending Automatic Stay to Non-Debtors*, ECF. No. 10, was filed after the Objection Deadline and the Reply Deadline, in contravention of the *Order Implementing Certain Notice and Case Management Procedures*, ECF No. 44.

Dated: November 4, 2023
New York, New York

CLEARY GOTTlieb STEEN & HAMILTON LLP

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